

### Remarks

Applicant thanks the Examiner for her helpfulness during the telephone interview of July 14, 2004. The Examiner remarked that the interview was perhaps her most pleasant interview to date. The Applicant's representative certainly feels the same way, and thanks the Examiner. During the interview, it was agreed that the prior art of record does not teach assigning a particular transmission protocol to an event occurring within a fixed space, and not using that particular transmission protocol for a subsequent event in the same fixed space. The claims have been amended accordingly.

### Allowability of Claims 11-26

Each of claims 11-26 requires assigning a transmission protocol to an event (e.g., a sporting event) occurring in a fixed space (e.g., within a stadium), and further requires that the transmission protocol not be used for a subsequent event in the same fixed space (e.g., a subsequent game at the same stadium). Claim 11 is representative:

11. A method of delivering sound to a plurality of individuals within a fixed space, the method comprising the steps of:
  - assigning a transmission protocol to an event occurring within the fixed space, wherein said transmission protocol is not used for subsequent events occurring within said fixed space;
  - collecting an audio signal generated at a first location within a the fixed space;
  - transmitting, under said transmission protocol, said audio signal collected from said first location to an earpiece worn by at least one of said plurality of individuals within said fixed space; and
  - receiving said audio signal with said earpiece, wherein said earpiece is configured to operate under said first transmission protocol.

During the telephone interview of July 14, 2004, it was decided that the prior art of record did not teach such a limitation. Accordingly, the claims have been amended to reflect our conversation. If the claim language does not accurately reflect the substance of the telephone interview, or if the claims are not allowable for some other reason, please contact the Applicant's representative at 612.371.5207. Thank you.

Claims 1-10

Claims 1-10 have been canceled without prejudice, and will be prosecuted in a continuing application. Therefore, Applicant reserves all rights in the prosecution of these claims. Thank you.

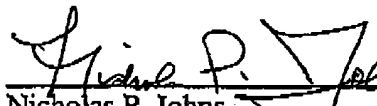
Conclusion

Claims 11-26 remain pending in the application. These claims are believed to be allowable for the reasons set forth above. This amendment is believed to be responsive to all points raised in the Office Action. Accordingly, Applicants respectfully request prompt reconsideration, allowance, and passage of the application to issue. Should the Examiner have any remaining questions or concerns, the Examiner is urged to contact the undersigned by telephone at the number below to expeditiously resolve such concerns.

Respectfully submitted,

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